

**FINAL REPORT  
OF THE  
INTERIM STUDY COMMITTEE  
ON PUBLIC SECURITY  
AND REGULATORY MATTERS**



**Indiana Legislative Services Agency  
200 W. Washington St., Suite 301  
Indianapolis, Indiana 46204-2789**

**November 2005**

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# **Interim Study Committee on Public Security and Regulatory Matters**

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## **Legislative Services Agency Staff**

**Adam Brown, Fiscal Analyst  
Andrew Hedges, Attorney**

**November 1, 2005**

A copy of this report is available on the Internet. Reports, minutes, and notices are organized by committee. This report and other documents for this Committee can be accessed from the General Assembly Homepage at <http://www.in.gov/legislative/>.

## FINAL REPORT

### **Interim Study Committee on Public Security and Regulatory Matters**

#### **I. LEGISLATIVE COUNCIL DIRECTIVE**

The Legislative Council directed the Committee to study the following topics:

- A. Boxing Commission regulations (SR 21)
- B. Public safety, homeland security, and identification issues (SB 201; HB 1597)
- C. Identity theft (HCR 74)

#### **II. SUMMARY OF WORK PROGRAM**

The Committee met on August 23, September 21, October 6, and October 25, 2005, at the State House at 200 W. Washington St., Indianapolis, Indiana, 46204.

#### **III. SUMMARY OF TESTIMONY**

The Committee heard testimony at the September 21 meeting from the following people:

- Wade Lowhorn, Deputy Director of the Indiana Professional Licensing Agency,
- Jacob Hall, Director of the Indiana Boxing Commission,
- Bill Bowling of the Mixed Martial Arts Federation,
- Michael Barnhart, Legislative Liaison for the Bureau of Motor Vehicles (BMV),
- Steve Leak, Assistant Commissioner, Vehicle and Driver Services, BMV,
- Chantele Mack of the Consumer Data Industry Association in Washington D.C.,
- Jason Thompson and Shaka Jones of the Attorney General's (AG) Office,
- Mark Carnell of the Indiana State Police,
- Steve Johnson of the Prosecuting Attorney's Council,
- Jim Cousins of the Indiana Banker's Association,
- John Kappin of the Indiana Telecommunications Association,
- Heather Macek, representing Microsoft Corporation, and
- Mark Shublak, representing Techpoint.

Mr. Lowhorn and Mr. Hall explained the structure and organization of the Indiana Boxing Commission, and also advised the Committee on possible approaches to regulating "toughman" and mixed martial arts competitions.

Mr. Bowling testified about his experiences as a referee in both "toughman" and mixed martial arts competitions.

Mr. Barnhart and Mr. Leak updated the Committee on the BMV's progress in implementing the federal "Real I.D." Act. This presentation included the following

information:

- new driver's license and identification card features,
- suggested changes to issuance standards,
- changes to temporary licenses and identification cards, and
- the "Real I.D." Act's new requirements for verification of documents.

The remaining people testified about draft legislation presented by Representative Jackie Walorski regarding disclosure of security breaches and encryption of data by entities holding customers' and clients' personal identification information. All of these people were in favor of the intent of the draft, but expressed concerns about the precise language. All parties agreed that they would work with Representative Walorski to come to a possible compromise which addressed these concerns.

The following people testified at the October 6 meeting:

- Eric Dietz, Executive Director of Indiana Department of Homeland Security (IDHS),
- Dennis Fleming, firefighter and concerned citizen,
- Joel Thacker, White River Township Fire Department,
- Maynard Masters, representing a coalition of firefighters,
- Paul Covington, firefighter from Switzerland County,
- Thomas Hanify, representing professional firefighters,
- Cheree Calabro and Greg Serbon, Indiana Federation for Immigration Reform and Enforcement (IFIRE), and
- Diane Osborn, concerned citizen.

Director Dietz made a presentation to the Committee regarding the structure of the IDHS, plans for a statewide fire training institute, and the IDHS's assistance to victims of Hurricane Katrina.

Mr. Fleming, Mr. Thacker, Mr. Masters, Mr. Covington, and Mr. Hanify all testified regarding concerns about implementation of SEA 56-2005 (P.L. 22-2005) which established the IDHS.

Ms. Calabro, Mr. Serbon, and Ms. Osborn all testified about various immigration reform issues.

At the October 25 meeting Mr. Carnell testified about the structure of the Indiana State Police (ISP) pay matrix, and Mr. Barnhart testified regarding BMV's recommendations for initial changes and conforming language in response to the passage of the federal "Real I.D." Act.

#### **IV. COMMITTEE FINDINGS AND RECOMMENDATIONS**

The Committee made no findings of fact.

The Committee made the following recommendations:

- (1) That a ten-year salary matrix be created for the Capitol Police in accordance with the current ISP pay matrix.
- (2) That Capitol Police officers be classified as police personnel instead of civilian personnel in the state personnel manual.
- (3) That the Director of the Indiana Department of Homeland Security (IDHS) review the fire investigators current salary scale and develop a plan to address salary increases and concerns.
- (4) That legislation be introduced to delete the references to "semi-professional elimination contests" in statute making it clear that the state does not regulate toughman-type contests.
- (5) That toughman-type contests be banned.
- (6) That PD 3386 regarding disclosure of security breaches be considered by the General Assembly.
- (7) That PD 3390, as amended by the Committee, be considered by the General Assembly as a preliminary recommendation for changes to conform to the requirements of the "Real I.D." Act.

## WITNESS LIST

Wade Lowhorn  
Jacob Hall  
Bill Bowling  
Michael Barnhart  
Steve Leak  
Chantele Mack  
Jason Thompson  
Shaka Jones  
Mark Carnell  
Steve Johnson  
Jim Cousins  
John Kappin  
Heather Macek  
Mark Shublak  
Eric Dietz  
Dennis Fleming  
Joel Thacker  
Maynard Masters  
Paul Covington  
Thomas Hanify  
Cheree Calabro  
Greg Serbon  
Diane Osborn